IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

WP(C).No. 29317 of 2007(M)

PETITIONER:

P.H.ABDUL KAREEM, S/O.HASSAN PILLAI,
PULITHOTTIL HOUSE, THEKKEKARA,ERATTUPETTA,
KOTTAYAM DISTRICT.

BY ADV. SRI.V.K.PEERMOHAMED KHAN

RESPONDENTS:
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1. THE KOTTAYAM DISTRICT CO-OP.BANK LTD,
REPRESENTED BY ITS GENERAL MANAGER,
OFFICE OF THE DISTRICT CO-OPERATIVE BANK,
KOTTAYAM.

2. SPECIAL OFFICER, KOTTAYAM DISTRICT
CO-OPERATIVE BANK LTD, HEAD OFFICE,
KOTTAYAM.

3. THE BRANCH MANAGER, KOTTAYAM DISTRICT
CO-OPERATIVE BANK LTD,ERATTUPETTA MAIN BRANCH,
ERATTUPETTA.

4. THE REGISTRAR OF CO-OPERATIVE
SOCEITIES, THIRUVANANTHAPURAM.

R1 TO R3 BY ADV. SRI.SUNIL CYRIAC,SC,DIST.CO-OP,BANK,KTM
R4 BY GOVERNMENT PLEADER (SMT. ANU SIVARAMAN)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 29317 OF 2007 M

Dated this the 9th October, 2007

JUDGMENT

Learned counsel for the petitioner, after arguing for some time, submitted that the petitioner may be permitted to pay off the amount in instalments. I heard the learned standing counsel appearing for the respondent Bank also. Petitioner is permitted to pay off the amount with due interest in six equal monthly instalments. The respondent Bank will serve a Statement on the petitioner within two weeks from today showing the amount due with interest and also the amount to be paid as instalments on the basis that the petitioner has to pay off the same in six equal monthly instalments. If the petitioner has any displute regarding the calculation, it is open to the petitioner to point out the same within a period of three days from the date of receipt of the Statement, and the respondent Bank will look into it and correct if there is any genuine error in calculation. The first instalment shall be paid on or before 30.10.2007 and the remaining

instalments on or before the last working day of every succeeding month. If the petitioner commits default of any instalments, petitioner will lose the benefit of this Judgment and it will be open to the respondent Bank to proceed against the petitioner in accordance with law. It is submitted by the learned counsel for the respondent Bank that the Bank will consider the grant of any benefit the petitioner is eligible to in law and grant such benefits when it serves the Statement on the petitioner.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

kbk.